

REMARKS

Claims 1-13 are pending. Claims 6 and 7 have been amended.

No new matter has been added by way of the present amendment. For instance, the amendment to claim 6 is supported by originally filed claim 7 as well as the present specification, for instance, illustrative reference is made to page 12, lines 14-18. This limitation has consequently been removed from claim 7. Thus, no new matter has been added.

Additionally, in view of the fact that the limitation added to claim 6 was already searched and considered due to being recited in claim 7, the Examiner is not presented with the additional burden of search and/or consideration. Thus, no new issues have been raised. However, in the event that the Examiner believes that new issues are raised by this amendment, Applicants submit that Finality of the outstanding Office Action was improper, thus, entry of the amendments is still proper.

Further to the above point, Applicants submit that the outstanding Office Action has been made improperly Final. The Examiner has stated that the amendment entered by Applicants in the last response necessitated the new grounds of rejection presented in the Final Office Action. However, these grounds of rejection could have been made in the previous Office Action and would have been unaltered by the previous amendments. For instance, Applicants amended the claims in order to clarify that the claims should refer to "parts by weight" rather than "wt%," where appropriate. This did not, however, alter the Examiner's consideration of the claims. In fact, at page 2, last 3 lines of the Office Action dated April 18, 2006, the Examiner stated that "[t]he Examiner has treated the claims on their merits assuming that the weight percentages of (b)-(e) are based on 100 weight percent of (a)." Thus, for at least claim 6, this translates into the

"parts by weight" language currently recited in the claims. Thus, presenting a new grounds of rejection in a Final Office Action denies Applicants the right to respond on the merits, with amendments if necessary. This is improper in view of MPEP § 706.07(a).

Additionally, in the event that the present submission does not place the case into condition for allowance, entry thereof is respectfully requested as placing the application into better form for appeal.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Issues under 35 U.S.C. §103(a)

The Examiner has rejected claims 6-8 and 10-13 under 35 U.S.C. §103(a) as being obvious over Jang et al., KR 2000-0014545 (Jang '545) in view of Wang et al., EP 0893813 (Wang '813). Applicants respectfully traverse this rejection.

The Present Invention

Independent claim 6 of the present invention relates to a composition for manufacturing barrier ribs for a Plasma Display Panel (PDP) comprising: (a) 100 parts by weight of mixture of glass powder and ceramic powder of which a volume ratio is in the range of 50:50 to 95:5; (b) 20 to 40 parts by weight of solvent; (c) 2 to 12 parts by weight of a mixture of water soluble binder and solvent soluble binder having a volume ratio in the range of 20:1 to 1:20; (d) 3 to 18 parts by weight of plasticizer; and (e) 0.5 to 2 parts by weight of dispersion agent and/or defoaming agent.

Distinctions Between the Present Invention and the Cited Art

The Examiner has newly relied on Jang '545 as allegedly disclosing a composition for manufacturing barrier ribs for a PDP comprising 100 parts by weight of glass powder, 20 to 40 parts by weight of solvent, 2 to 12 parts by weight of binder including water soluble components and solvent soluble components, 3 to 18 parts by weight of plasticizer and 0.5 to 2 parts by weight of dispersion agent. However, this is not correct.

In fact, Jang '545 fails to suggest or disclose 20 to 40 parts by weight of solvent. Rather, Jang '545 discloses the use of 50 to 90 parts by weight of solvent. To illustrate this difference, Applicants provide the following Table:

Jang '545		The Present Invention	
Solvent	50-90	Solvent	20-40
Plasticizer	1-30	Plasticizer	3-18
Binder	0.5-30	Binder	2-12
Additive (dispersion agent or surfactant)	0.1-10	Dispersion agent	0.5-2

A review of the above reveals at least one distinction between the present invention, for instance, as recited in claim 6, and the disclosure of Jang '545 concerning the amount of solvent. This deficiency is not cured by the secondary reference of Wang '813. Therefore, since at least one limitation of the present invention is absent from the cited art, there can exist no *prima facie* case of obviousness. This rejection is therefore improper and should be withdrawn.

Further, the Examiner has asserted that Wang '813 discloses a composition comprising a glass powder and ceramic powder mixture, an organic binder, plasticizer, and dispersion agent, wherein the glass powder and ceramic powder mixture has a volume ratio in the range of 50:50 to 95:5. However, a careful review of Wang '813, which was already distinguished on this point in the previous response, reveals an additional distinction.

Wang '813 discloses two types of polymers being homopolymers (or, in the case of a methacrylate polymer, should be a polymer that has only monomers suitable to the above criteria). In fact, Wang '813 simply discloses that homopolymers and copolymers of these other monomers can be used instead of a comonomers in amounts less than or equal to 15 wt%. It is therefore evident that Wang '813 fails to disclose that there should be a mixture of water soluble binder and solvent soluble binder having a volume ratio in the range of 20:1 to 1:20 as required by the present claims. This represents a distinction between the present invention and Wang '813.

Also, the Examiner cannot ignore the above argument and simply assert that Wang '813 is being relied upon for other reasons. The Examiner is not free to pick and choose only advantageous elements from a reference, while ignoring disadvantageous elements. That is, when the prior art references are taken in combination, there exists no motivation to arrive at the presently claimed subject matter. Therefore, for this additional reason, Applicants submit that there exists no *prima facie* case of obviousness. Reconsideration and withdrawal thereof are respectfully requested.

In view of the above, Applicants respectfully submit that the present claims define allowable subject matter. Accordingly, the Examiner is respectfully requested to withdraw all rejections and allow the currently pending claims.

If the Examiner has any questions or comments, please contact Craig A. McRobbie, Registration No 42,874 at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,



By

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